

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DAMIEN DARNELL HARRIS,

Petitioner,

v.

MIKE OBENLAND,

Respondent.

CASE NO. 3:15-cv-05191-RJB

ORDER DENYING MOTION TO  
EXPAND RECORD

This matter comes before the Court on Petitioner's Motion to Expand the Record. Dkt.

55. The Court has considered the motion and the remainder of the file herein.

Petitioner's motion is DENIED. Even if Petitioner is correct—that the expanded record Petitioner requests shows that Petitioner exhausted state remedies—Petitioner has not made a sufficient showing as to Ground 8, Part 4 (Ineffective Assistance of Counsel: Failure to solicit [sic] favorable testimony) that Petitioner's claim rises to the level of constitutional magnitude.

The Clerk is directed to send uncertified copies of this Order to all counsel of record and to any party appearing *pro se* at said party's last known address.

Dated this 24<sup>th</sup> day of March, 2016.



ROBERT J. BRYAN  
United States District Judge